

been abandoned for failure to timely file a proper reply to the Final Office Action mailed on December 23, 2004.

Pursuant to a September 9, 2005, telephone conversation between Examiner Fischer and the undersigned's assistant, Jennifer Daug, Applicants were granted permission to re-file the timely submitted Notice of Appeal and Appeal Brief filed with the USPTO in February 2005. Examiner Fischer indicated that the standard Petition to Revive and corresponding filing fees would be waived as this oversight resulted from computer upgrades at the USPTO's offices.

The aforementioned documents were received in the USPTO as evidenced by the acknowledgement postcard bearing the official mailroom stamp of the Office of Initial Patent Examination ("OIPE") dated September 12, 2005.

Having not received any response from Examiner Fischer as of November 30, 2005, the undersigned requested that his assistant, Jennifer Daug, contact the Examiner. On December 8, 2005, Miss Daug conducted a telephone conference with Examiner Fischer during which it was determined that the Applicants had inadvertently transposed digits in the serial number of both the timely filed Appeal Brief and original Request for Reconsideration of Abandonment. Pursuant to this conversation, Applicants were granted permission to re-file the timely submitted Notice of Appeal and Appeal Brief filed with the USPTO in February 2005. During that conversation, Examiner Fischer again indicated that the standard Petition to Revive and corresponding filing fees would be waived.

Accordingly, enclosed herewith are copies of the Notice of Appeal as originally filed on February 16, 2005 (with the incorrect serial number crossed out and the correct serial number inserted), the Appellants' Brief as originally filed on February 16, 2005 (with the incorrect serial number crossed out and the correct serial number inserted), the stub for a check payable to the Commissioner of Patents & Trademarks in the amount of \$500.00 for original filing fees, and the Patent Office acknowledgement postcard detailing submission of the aforementioned documents and bearing the official mailroom stamp dated February 23, 2005 as well as copies of the first Request for Reconsideration of Abandonment as originally filed on September 9, 2005 (with the incorrect serial number crossed out and the correct serial number inserted) and the attendant acknowledgement postcard detailing submission of the aforementioned documents and bearing the official mailroom stamp of the ("OIPE") dated September 12, 2005

In view of the foregoing, Applicants kindly urge prompt revival of the instant application and renewed examination thereof in due course.

If the Examiner believes that a telephone interview would be beneficial to advance prosecution of the present application, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

Date: December 8, 2005



John F. Letchford
Registration No. 33,328

ARCHER & GREINER, P.C.
One Centennial Square
Haddonfield, NJ 08033
Tel.: (856) 354-3013
Fax: (856) 795-0574
Email: jletchford@archerlaw.com

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